

## TIER 2 - FULL RACIAL PROFILING REPORT

**Agency Name:** DEVINE POLICE DEPT.  
**Reporting Date:** 01/07/2016  
**TCOLE Agency Number:** 325202  
**Chief Administrator:** KANDY L. BENAVIDES  
**Agency Contact Information:** Phone: 830-663-4403  
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DEVINE POLICE DEPT.  
303 S. Teel Drive  
Devine, TX 78016

This Agency filed a full report because:

Our agency chooses to fully report even though it qualifies for the partial exemption.

### Certification to This Report 2.132 (Tier 2) – Full Report

#### Article 2.132(b) CCP Law Enforcement Policy on Racial Profiling

DEVINE POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- (1) clearly defines acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the DEVINE POLICE DEPT. from engaging in racial profiling;
- (3) implements a process by which an individual may file a complaint with the DEVINE POLICE DEPT. if the individual believes that a peace officer employed by the DEVINE POLICE DEPT. has engaged in racial profiling with respect to the individual;
- (4) provides public education relating to the agency's complaint process;
- (5) requires appropriate corrective action to be taken against a peace officer employed by the DEVINE POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the DEVINE POLICE DEPT.'s policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
  - (A) the race or ethnicity of the individual detained;
  - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
  - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) the Commission on Law Enforcement; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

**I certify these policies are in effect.**

Executed by: **KANDY L. BENAVIDES**

Chief Administrator

DEVINE POLICE DEPT.

Date: 01/07/2016

## DEVINE POLICE DEPT. Motor Vehicle Racial Profiling Information

### Gender:

1. **263** Female
2. **387** Male
3. **650 Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

### Race or Ethnicity:

4. **8** African
5. **4** Asian
6. **304** Caucasian
7. **332** Hispanic
8. **1** Middle Eastern
9. **1** Native American
10. **650 Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

### Race or Ethnicity known prior to stop?

11. **0** Yes
12. **650** No
13. **650 Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

### Reason for stop:?

14. **3** Violation of law other than traffic
15. **0** Pre-existing knowledge (i.e. warrant)
16. **521** Moving Traffic Violation
17. **126** Vehicle Traffic Violation (Equipment, Inspection or Registration)
18. **650 Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

**Search conducted?**

19. **9** Yes

20. **641** No

21. **650 Total**

**Reason for search?**

22. **2** Consent

23. **1** Contraband/evidence in plain sight

24. **3** Probable cause or reasonable suspicion

25. **1** Inventory search performed as result of  
towing

26. **2** Incident to arrest/warrant

27. **9 Total** (must equal line 19)

**Contraband discovered?**

28. **5** Yes

29. **4** No

30. **9 Total** (must equal line 19)

**Description of Contraband**

31. **2** Illegal drugs/drug paraphernalia

32. **0** Currency

33. **0** Weapons

34. **3** Alcohol

35. **0** Stolen property

36. **0** Other

37. **5 Total** (must equal line 28)

**Arrest result of stop or search:**

38. **26** Yes

39. **624** No

40. **650 Total** (3, 10, 13, 18, 21, 40 and 51 must  
be equal)

**Arrest based on:**

- 41.           **5** Violation of the Penal Code
- 42.           **19** Violation of a Traffic Law
- 43.           **0** Violation of City Ordinance
- 44.           **2** Outstanding Warrant

**Street address or approximate location of the stop:**

- 45.           **615** City Street
- 46.           **35** US Highway
- 47.           **0** County Road
- 48.           **0** Private Property or Other

**Written warning or a citation as a result of the stop:**

- 49.           **638** Yes
- 50.           **12** No

51.           **650 Total**

DEVINE POLICE DEPT. has submitted electronically the analysis in PDF format required by 2.134 CCP(c) which contains

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; and

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

**I certify the analysis meets the above requirements.**

Executed by: **KANDY L. BENAVIDES**

Chief Administrator

DEVINE POLICE DEPT.

Date: 01/07/2016